



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yasuhiko (nmi) Aoki et al.  
Serial No.: 10/787,496  
Filing Date: February 26, 2004  
Group Art Unit: Unknown  
Title: *Optical Network With Selective Mode Switching Network*

Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 324642815 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <u>Willie Jiles</u> Willie Jiles</p> <p>Date: April 20, 2004</p>
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**INFORMATION DISCLOSURE STATEMENT**

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of the references are enclosed for the convenience of the Examiner. No representation is made that a search has been made, that the references are material to the patentability of the present application, or that the references qualify as prior art.


**REMARKS**

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicants believe this Information Disclosure Statement has been filed before the mailing date of the first Official Action. Therefore, Applicants believe no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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**05073**

PTO-1449  <b>Information Disclosure Citation In an Application</b>	<b>Application No.</b> 10/787,496		<b>Applicant(s)</b> Yasuhiko (nmi) Aoki et al.
	<b>Docket Number</b> 064731.0384	<b>Group Art Unit</b> Unknown	<b>Filing Date</b> February 26, 2004

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,771,112	06/23/1998	Hamel et al.	359	128	06/17/1996
	B	5,778,118	07/07/1998	Sridhar	385	24	12/03/1996
	C						
	D						
	E						
	F						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	G	WO 99/65164	23/16/1999	PCT	H04B	10/213	X	
	H							
	I							

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	J	Kinoshita et al., "Flexible Twin Open Ring Metro WDM Network," OECC, pp. 713-14	October 2003
	K	Tian et al., "OUPSR Protected Flexible Metro WDM Network," ECOC, pp. 826-27	2003
	L	Boskovic et al., "Broadcast and Select OADM Nodes Application and Performance Trade-offs," OFC, pp. 158-59	2002
	M	Kinoshita et al. "Flexible Metro WDM Network with Photonic Domains", Fujitsu Laboratories of America, Inc., 3 pages	February 24-26, 2004
	N	Suzuki et al., "Prototype of 12.5GHz-Spaced Tapped-Type OADM for DWDM Metro Ring Networks," ECOC-IOOC Proceedings - Vol. 4, pp. 902-903	September 21-25, 2003
	O	Wolde, J., et al., "Optical Ethernet Metro Access Network Prototype: Implementation and Results," ECOC-IOOC 2003, 3 pages	September 21-25, 2003

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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